

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES – GENERAL**

No.	CV 17-5777 RGK (AS)	Date	November 13, 2019
Title	<i>Huey Ferguson Jr. v. Clyette Wilcher</i>		

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Present: The Honorable	Alka Sagar, United States Magistrate Judge
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Alma Felix

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Not reported

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Deputy Clerk

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Court Reporter / Recorder

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not present

Not present

**Proceedings (In Chambers):**

**Order to Show Cause Re: Failure To Answer**

On August 4, 2017, Huey Ferguson Jr. (“Plaintiff”), proceeding pro se, filed a Complaint, alleging that Defendants violated his civil rights, pursuant to 42 U.S.C. § 1983. (Dkt. No. 1). On August 24, 2017, Plaintiff filed a First Amended Complaint (“FAC”), the operative complaint in this matter. (Dkt. No. 6). Wilcher, the remaining Defendant in this matter, filed an Answer on December 28, 2017. (Dkt. No. 12). The Answer, however, responded to the allegations in the Complaint, not the First Amended Complaint. (Id.). Wilcher has not answered the First Amended Complaint. “An allegation--other than one relating to the amount of damages--is admitted if a responsive pleading is required and the allegation is not denied.” Fed. R. Civ. P. 8(b)(6).

Accordingly, Defendant Wilcher is ORDERED TO SHOW CAUSE, in writing, no later than **December 4, 2019**, why the well-pleaded, factual allegations in the First Amended Complaint should be deemed admitted. This Order will be discharged upon the filing of a timely memorandum, demonstrating good cause for avoiding the factual allegations in the First Amended Complaint being deemed admitted.

Cc: R. Gary Klausner  
United States District Judge

Initials of Preparer

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